

FILED

JUL 25 2019

U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KYLE GREEN,

Defendant.

N **4:19CR00583 SRC/NAB**

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

- (a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));
- (b) "sexually explicit conduct" to mean actual or simulated
  - (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,
  - (ii) bestiality,
  - (iii) masturbation,
  - (iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about December 8, 2018, and on or about December 12, 2018, within the Eastern District of Missouri and elsewhere,

**KYLE GREEN,**

the defendant herein, did use any facility and means of interstate commerce, and did knowingly attempt to persuade, induce, entice, and coerce an undercover police officer of the St. Louis County Police Department, who he believed to be a minor under the age of eighteen years old, to engage in sexual activity for which any person can be charged with a criminal offense, to wit: the defendant, who was at least twenty-one years of age, believing that undercover the St. Louis County Detective was a minor under the age of seventeen years old, attempted to persuade, induce, entice, and coerce undercover St. Louis County Detective to have vaginal sexual intercourse with him, in violation of Missouri Revised Statute, Section 566.034.1.

In violation of Title 18, United States Code, Section 2422(b).

**COUNT II**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about December 3, 2018, and on or December 12, 2018, in the Eastern District of Missouri, and elsewhere,

**KYLE GREEN,**

the Defendant herein, did knowingly attempt to receive, using any means and facility of interstate and foreign commerce, and in affecting interstate and foreign commerce, i.e., a cellular telephone and the internet, graphic files containing child pornography including, but not limited

to, a graphic image file of a minor female engaged in sexual conduct with adult female.

In violation of Title 18, United States Code, Section 2252A(a)(2).

A TRUE BILL.

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FOREPERSON

JEFFREY B. JENSEN  
United States Attorney

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Colleen C. Lang, #56872MO  
Assistant United States Attorney